

UNITED STATES DISTRICT COURT for the
SOUTHERN DISTRICT OF NEW YORK

CHARLES COLEMAN, JOHN T. COONEY, JR., JAMES BODRATO, and JOHN J. CHIAFFI, in their fiduciary capacity as Trustees for the LABORERS LOCAL 754 HEALTH & WELFARE FUND, PENSION FUND, SAVINGS FUND, ANNUITY FUND, INDUSTRY ADVANCEMENT FUND, DUES SUPPLEMENT FUND, LECET FUND, NATIONAL HEALTH AND SAFETY FUND, NYSLPAFUND, 754 LECET FUND, TRAINING FUND and ORGANIZING FUND; and CHARLES COLEMAN and JOHN J. CHIAFFI, as Officers of LABORERS LOCAL UNION 754,

X

Plaintiffs,

-against-

JV EXCAVATORS AND CONTRACTORS L.L.C.,
JOHN VETERI, JOHN VETERI, JR., and DOE FIDUCIARY,

Defendants.

DEFALUT
JUDGMENT

JUDGL SCHEINDLIN

07-CV-9404
(Scheindlin, J.)
(Ellis, M.J.)

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This action having been commenced on October 19, 2007 by the filing of the Summons and Complaint, and an amended Summons and Complaint being filed on December 13, 2007, and a copy of the amended Summons and amended Complaint was served on defendant JV Excavators And Contractors, L.L.C. on December 14, 2007 by sending a request for waiver of service by first class mail to John Veteri's representative, Paul Mandal, at Dreifuss, Bonacci, & Parker, LLP, service was waived and proof of such waiver was filed on December 17, 2007. A copy of the amended complaint and summons was served on John Veteri by sending a request for waiver of service to his representative, Paul Mandal, at Dreifuss, Bonacci, & Parker, LLP, service was waived and proof of such waiver was filed on December 18, 2007. A copy of the amended complaint and summons was served on John Veteri, Jr. on January 28, 2008 by personal delivery by a process server at the address of JV Excavators And Contractors, L.L.C., proof of service was filed on February 1, 2008.

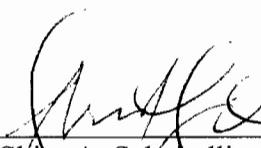
On February 28, 2008, defendants were ordered to produce the Rule 26 Initial Disclosures by March 21, 2008. The time for filing the disclosures having expired, and the defendants failing to produce the disclosures, plaintiffs requested permission to file for default on April 11, 2008. Permission was granted by the Honorable Judge Shira Scheindlin on April 14, 2008 by endorsed letter filed on ECF. The default of the defendants is hereby noted, it is

ORDERED, ADJUDGED AND DECREED: That the plaintiffs have judgment against defendants, individually and collectively, in the liquidated amount of \$6,539.40, including pre-judgment interest at 8.25% for contributions and prejudgment interest at 9% for dues accrued for May and June of 2007 in the total interest amount of \$1,030.16, liquidated damages in the amount of 20% amounting to \$2,028.00, costs and disbursements of this action in the amount of \$350.00, plus attorney's fees in the amount of \$15,669.97 for a total of \$25,617.53, with post-judgment interest at the statutory rate.

CR
#1,038

Dated: New York, New York

August 7 2008



Shira A. Scheindlin, U.S.D.J.

This document was entered on the docket
on _____.